

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
ARNO118345		
U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)		
10/009,067		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/EP00/05152	5 June 2000	4 June 1999
TITLE OF INVENTION		
USE OF HIGH OLEIC HIGH STEARIC OILS		
APPLICANT(S) FOR DO/EO/US		
MARTINEZ-FORCE, Enrique; MUNOZ-RUZ, Juan; FERNANDEZ-MARTINES, Jose Maria; and GARCES, Rafael		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information with a signed certificate of mailing:

- 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. is attached hereto (required only if not communicated by the International Bureau).
  - b. has been communicated by the International Bureau.
  - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

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LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

- 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. are attached hereto (required only if not communicated by the International Bureau).
  - b. have been communicated by the International Bureau.
  - c. have not been made; however, the time limit for making such amendments has NOT expired.
  - d. have not been made and will not be made.
- 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 20. below concern document(s) or information included:**

- 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- 13. A FIRST preliminary amendment.
- 14. A SECOND or SUBSEQUENT preliminary amendment.
- 15. A substitute specification.
- 16. A change of power of attorney and/or address letter.
- 17. A statement concerning requirement for a computer-readable form of the sequence listing in accordance with 35 U.S.C. 1.821 – 1.825.
- 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- 20. A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/elected Office (DO/EO/US)

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1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

Rec'd PC PTO 16 JUL 2002

10/009067

<input checked="" type="checkbox"/> 21. The following fees are submitted:		CALCULATIONS PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....		\$1,040.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....		\$740.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$710.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) .....		\$100.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT = \$</b>			
Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>X</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =		X \$18.00 \$
Independent claims	- 3 =		X \$84.00 \$
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)		+ \$280.00 \$	
<b>TOTAL OF ABOVE CALCULATIONS = \$130.00</b>			
Applicants respectfully request that the shortened statutory period for response to the outstanding Notification of Missing Requirements mailed February 14, 2002, set to expire on April 14, 2002, be extended by three months, to expire on July 14, 2002.		\$920.00	
<b>SUBTOTAL = \$1,050.00</b>			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$	
<b>TOTAL FEES ENCLOSED = \$1,050.00</b>			
AMOUNT TO BE REFUNDED OR CHARGED		Amount to be refunded	\$
		charged	\$

AMOUNT TO BE REFUNDED OR CHARGED

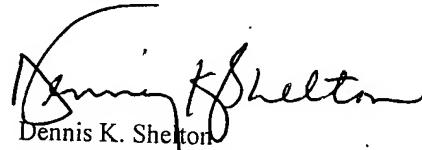
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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

- X a. Check No. 140384 in the amount of \$1,050.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- X c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

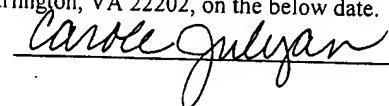
CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



Dennis K. Shelton  
Direct Dial No. 206.695.1718  
E-Mail Address: dennis@cojk.com

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Box PCT, Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on the below date.

Date: 7/11/02



DKS:cj

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LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

To: DKS

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/009,067	Enrique MARTINEZ-FORCE	ARNO118345
INTERNATIONAL APPLICATION NO.		PCT/EP00/05152
I.A. FILING DATE		PRIORITY DATE
06/05/2000		12/17/1999
26389 CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347	RECEIVED DOCKETING FEB 28 2002 CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC	CONFIRMATION NO. 4298 371 FORMALITIES LETTER  *OC000000007451955*

Date Mailed: 02/14/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**DOCKETED**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the

requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- **APPLICANT MUST PROVIDE:**
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

• For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
  
- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,067	PCT/EP00/05152	ARNO118345

FORM PCT/DO/EO/905 (371 Formalities Notice)